

Appl. No. 09/489,667

Art Unit 1656

Remarks

Claims 69, 71-73, and 75-80 were pending and under consideration in the application. Claims 77-80 have been cancelled without prejudice in order to expedite prosecution. Accordingly, after entry of the instant amendment, claims 69, 71-73, 75, and 76 will be pending. Applicant reserves the right to pursue the subject matter of the cancelled claims in this or another application.

Applicant thanks the Examiner for the dismissal of the potential interference and for the indication that claims 69, 71-73, 75, and 76 are allowed.

Rejection of claims 77-80 Under 35 U.S.C. §112, First Paragraph

Claims 77-80 were rejected under 35 U.S.C. §112, first paragraph for lack of enablement. Applicant respectfully traverses this rejection. However, in the interest of expediting prosecution, and in no way conceding to the validity of the rejection, Applicant has cancelled claims 77-80 without prejudice. Accordingly, Applicant submits that the rejection of these claims is rendered moot.

Conclusion

In view of the cancellation of all rejected claims and the allowance of the remaining claims, Applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Respectfully submitted,

Date: April 27, 2006

Frank J. Uxa
Attorney for Applicant
Registration No. 25,612
4 Venture, Suite 300
Irvine, California 92618
(949) 450-1750
(949) 450-1764 Facsimile